I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: April 22, 2010

Signature:

Docket No.: 28079/41785

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fischoff, et al.

Application No.: 08/434,105 Confirmation No.: 2627

(David A. Gass)

Filed: May 3, 1995 Art Unit: 1638

For: Synthetic Plant Genes and Method for

Preparation

Examiner: Anne R. Kubelik

REQUEST FOR REFUND OF PUBLICATION FEE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The Applicants submitted payment for the issue fee for this application on April 9, 2010. In paying the issue fee, an additional publication fee of \$300.00 was inadvertently selected and paid (by credit card authorization), where no publication fee was necessary. Thus, a credit in the amount of \$300.00, to Deposit Account No. 13-2855 (under Order No. 29968/43616), is respectfully requested.

Date: April 22, 2010

Respectfully submitted,

David A. Gass, Reg. No. 38,153

MARSHALL, GERSTEIN & BORUN LLP 233 South Wacker Drive, 6300 Sears Tower

Chicago, Illinois 60606

Tel. (312) 474-6300

Fax (312) 474-0448

Attorney for Applicants

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APPLICATION NO.	FILING DATE		FIRST NAMED INVENTO	OR .	АТ	TORNEY DOCKET NO.	CONFIRMATION NO.			
08/434,105	05/03/1995		DAVID A FISCHHOF							
TITLE OF INVENTION:	SYNTHETIC PLANT (GENES AND METHOD	FOR PREPARATION							
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3. ASSIGNEE NAME AN	D RESIDENCE DATA	TO BE PRINTED ON T	HE PATENT (print or t	type)	······································					
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PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11., Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)										
Please check the appropriat	te assignee category or c	ategories (will not be pri	nted on the patent):	Indi	vidual 🗆 Corpor	ation or other private grou	up entity Government			
ta. The following fee(s) are	e submitted:	4b	Cornell.		rst reapply any pi	eviously paid issue fee s	hown above)			
Issue Fee Description Fee (No. 1986)	emall antity disasunt na	emittad)	CT-PIN.	A check is enclosed. Payment by credit card. Form PTO-2038 is attached.						
Advance Order - # c	, ,	innica)	The Director is here	is hereby authorized to charge the required fee(s), any deficiency, or credit any to Deposit Account Number (enclose an extra copy of this form).						
5. Change in Entity Status	s (from status indicated	above)	overpayment, to Dep	osit Ac	ecount Number	(enclose an	extra copy of this form).			
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08/434,105	05/03/1995		. Fischhoff)K	ATTORNEY DOCKET NO 28079/41785			
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Correspondence A "Fee Address" ind form PTO/SB/47; Use of a Custome 3. ASSIGNEE NAME AN PLEASE NOTE: Unless for recordation as set for (A) NAME OF ASSIGNE Monsanto Technology Please check the appropriate a 4a. The following fee(s) an X Issue Fee	spondence address (or ddress form PTO/SB/12 ication (or "Fee Address Rev 03-02 or more recer r Number is required. ND RESIDENCE DATA an assignee is identified the in 37 CFR 3.11. Committee LLC assignee category or categorice enclosed:	Change of 2) attached. (2) the name a registered up to 2 regis name is listed. TO BE PRINTED ON THI below, no assignce data wipletion of this form is NOT (B) es (will not be printed on the part of	mes of up to agents OR, after attorney or agtered patent at d, no name will E PATENT (p ill appear on the a substitute for RESIDENCE St. Louis, Mistatent):	at front page, list of 3 registered ernatively, m (having as a gent) and the retorneys or age. I be printed. Frint or type) The patent. If an or filing an assistic (CITY and Securi Individual (security).	member 2 annes of nts. If no 3 assignee is identified below gnment. TATE OR COUNTRY) Corporation or other private	the document has been filed		
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a. Applicant claims	SMALL ENTITY status	s. See 37 CFR 1.27.				atus. See 37 CFR 1.27(g)(2).		
The Director of the USPTO is NOTE. The Issue Fee and Punterest as shown by the record	oneation ree (it required)	will not be accepted from an	any) or to re-a yone other thar	pply any previon the applicant;	ously paid issue fee to the applia registered attorney or agent.	ication identified above. or the assignee or other party in		
Authorized Signature					Date	April 9, 2010		
Typed or printed name		David A. Gass			Registration No.	38,153		